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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,803	11/30/2001	Carol Ivash Gabele	AUS920010963US1	9634

28722 7590 07/19/2005

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EXAMINER
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GEBRESILASSIE, KIBROM K

ART UNIT	PAPER NUMBER
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2128

DATE MAILED: 07/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/997,803

Applicant(s)

GABELE ET AL.

Examiner

Kibrom K. Gebresilassie

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 11/30/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/30/01 &amp; 6/22/05</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. This action is responsive to the application filed on November 30, 2001.
2. Claims 1-18 have been examined and rejected.

***Information Disclosure Statement***

3. The Office acknowledges receipt of the Information Disclosure Statement filed on November 30, 2001 and June 22, 2005. It has been placed in the application file and the information referred to therein has been considered.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 6, 12, and 16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claims refer to the following: "lower level directory" and "higher level directory". However, the specification does not provide any substantive details to these concepts in such a manner to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and /or use the invention.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject

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matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being obvious over U.S. Patent No. 6,470,478 issued to Bargh in view of U.S. Patent No. 6,839,751 issued to Dietz.

The applied reference has a common assignee and at least one common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

**As per Claim 1:**

Bargh discloses a method for providing centralized access to instrumentation count event information (col. 13 line 24) generated by simulation testing of a hardware simulation model (hardware simulator; col. 2 lines 14-16), wherein said simulation testing is performed within a batch simulation farm (col. 21 lines 27-28), said method comprising:

generating an entity list (col. 10 lines 41-45), wherein said entity list includes an identifier (col. 8 lines 59-63) for each design entity (each entity; col. 7 line 29) within said hardware simulation model (hardware simulator; col. 2 lines 14-16) that has at least one instantiated instrumentation count event (count event; col. 13 line 24);

delivering said entity list (col. 10 lines 41-45) ; and

associating said entity list (col. 10 lines 41-45) with an identifier (col. 8 lines 59-63).

Bargh fails to disclose multiple simulation clients communicating with an instrumentation server. However, Dietz discloses multiple simulation clients communicating with an instrumentation server (col. 6 lines 1-3; Fig. 2).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Bargh related to instrumentation count event information generated by simulation testing of a hardware simulation model with the teachings of Dietz related to communication of multiple simulation clients with an instrumentation server. The motivation for doing so would have been more convenient to monitor and utilize the instrumentation events within simulation models. Hence a skilled artisan having access to the teaching of Bargh and Dietz would have knowingly modified the teaching of Bargh with Dietz.

**As per Claim 2:**

Bargh discloses the method of claim 1, wherein said entity list (col. 10 lines 41-45) is generated during model build processing (col. 19 lines 2-3) prior to simulation of said hardware simulation model by said simulation client.

**As per Claim 3:**

Bargh discloses The method of claim 1, wherein said associating said entity list (col. 10 lines 41-45) to an HDL simulation model (col. 3 lines 46-47) identifier comprises generating a

translation table (Fig. 4B element 420) that includes entries indexed in accordance with said design entity identifiers (col. 8 lines 59-63).

**As per Claim 4:**

Bargh discloses the method of claim 3, wherein said translation table includes entries indexed in accordance with each design entity identifier included with each entity list file received within said instrumentation server, said generation of said translation table including mapping said hardware simulation model identifier to each translation table entry indexed by a design entity identifier corresponding to a design entity included within said hardware simulation model (col. 7 lines 47-54; col. 8 lines 66-67).

**As per Claim 5:**

Dietz discloses the method of claim 1, further comprising: simulating said hardware simulation model within a simulation client; delivering an aggregate count event packet from said simulation client to said instrumentation server (col. 6 lines 1-3), wherein said aggregate count event packet includes count event data recorded during said simulation; and within said instrumentation server, storing said count event data within cumulative count data storage files (col. 3 lines 6-9).

**As per Claim 6:**

Bargh discloses the method of claim 5, wherein said storing said count event data within cumulative count data storage files further comprises: associating said count event data with a specified time period within a higher level count event directory; and associating said count event data with a specified hardware simulation model within a lower level directory, wherein said lower level directory is subsumed by said higher level directory such that count event data can be queried first by time and second by hardware simulation model identity (col. 10 lines 4-7;

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col. 10 lines 12-25).

**As per Claims 7 and 13:**

The limitations of claims 7 and 13 have already been discussed in the rejection of claim

1. They are therefore rejected under the same rationale.

**As per Claims 8 and 14:**

The limitations of claims 8 and 14 have already been discussed in the rejection of claim

2. They are therefore rejected under the same rationale.

**As per Claims 9 and 15:**

The limitations of claims 9 and 15 have already been discussed in the rejection of claim

3. They are therefore rejected under the same rationale.

**As per Claims 10 and 16:**

The limitations of claims 10 and 16 have already been discussed in the rejection of claim

4. They are therefore rejected under the same rationale.

**As per Claims 11 and 17:**

The limitations of claims 11 and 17 have already been discussed in the rejection of claim

5. They are therefore rejected under the same rationale.

**As per Claims 12 and 18:**

The limitations of claims 12 and 18 have already been discussed in the rejection of claim

6. They are therefore rejected under the same rationale.

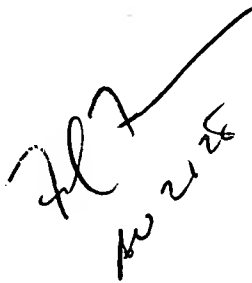
***Conclusion***

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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2. Any inquiring concerning this communication or earlier communication from the examiner should be directed to Kibrom K. Gebresilassie whose telephone number is (571) 272-8571. The examiner can normally be reached on Monday-Friday, 8:30 am to 4:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner supervisor, Jean R. Homere can be reached at (571) 272-3780. The official fax number is (703) 872-9306. Any inquiring of a general nature relating to the status of this application should be directed to the group receptionist whose telephone number is (571) 272-3700.

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A handwritten signature in black ink, appearing to read 'Kibrom K. Gebresilassie', is written over the typed name and contact information.